

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 09-25 Erie
	)	
CHAD ZACHARY HOWER	)	(Under Seal)

INDICTMENT MEMORANDUM

AND NOW comes the United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Christian A. Trabold, Assistant United States Attorney for said District, and submits this Indictment Memorandum to the Court:

I. THE INDICTMENT

A Federal Grand Jury returned a one-count Indictment against the above-named defendant for an alleged violation of federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
1	International parental kidnapping From in and around November 2006 to in and around May 2009	18 U.S.C. §1204

**FILED**

MAY 12 2009

CLERK OF DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

**EXHIBIT B**

## II. ELEMENTS OF THE OFFENSE

### A. As to Count 1:

In order for the crime of international parental kidnapping, in violation of 18 U.S.C. §1204, to be established, the government must prove all of the following essential elements beyond a reasonable doubt:

1. That the child was previously in the United States.
2. That the defendant took the child from the United States to another country or retained the child outside the United States.
3. That the defendant acted with the intent to obstruct the lawful exercise of parental rights of the other parent.

Authority: Modern Federal Jury Instructions,  
Instr. 42-17

## III. PENALTIES

### A. As to Count 1: International parental kidnapping (18 U.S.C. §1204):

1. A term of imprisonment of not more than three (3) years (18 U.S.C. §1204).
2. A fine of not more than \$250,000 (18 U.S.C. §3571(b)(3)).
3. A term of supervised release of not more than one (1) year (18 U.S.C. §3583(b)(3)).
4. Any or all of the above.

**IV. MANDATORY SPECIAL ASSESSMENT**

A mandatory special assessment of \$100.00 must be imposed at each count upon which the defendant is convicted, pursuant to 18 U.S.C. §3013.

**V. RESTITUTION**

Not applicable in this case.

**VI. FORFEITURE**

Not applicable in this case.

Respectfully submitted,

MARY BETH BUCHANAN  
United States Attorney

A handwritten signature in dark ink, appearing to read 'C. A. Trabold', is written over a horizontal line.

CHRISTIAN A. TRABOLD  
Assistant U.S. Attorney  
PA ID No. 75013